

CodeSMTX:

A modern code with the tools to shape growth in San Marcos.

City of San Marcos

Planning & Development Services Department

Full draft Land Development Code at: <https://sanmarcos.opencomment.us/>

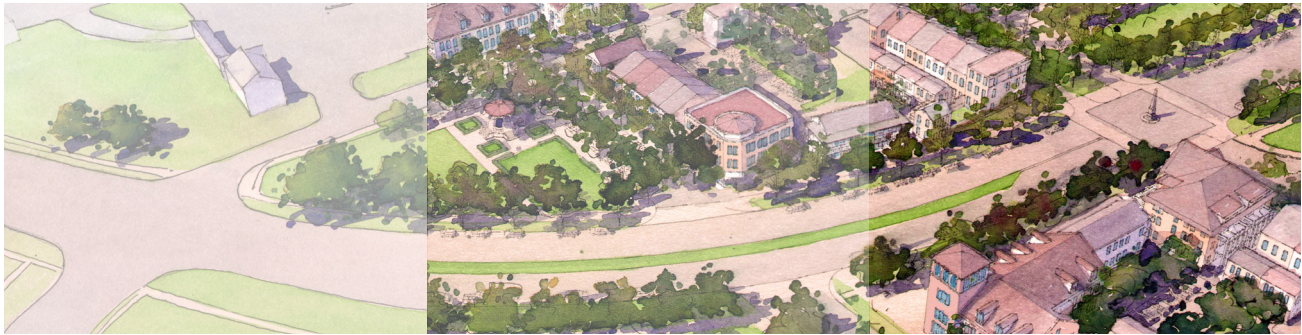


Introduction

CodeSMTX will apply the policies from the Vision San Marcos Comprehensive Plan about where and how we grow to the city's land development code. CodeSMTX began in July of 2014 and has included a tremendous amount of work from residents and community and stakeholder groups. Throughout the CodeSMTX planning process, a number of public events have also been held including the *Rhythm of the Street*, the CodeSMTX Code Rodeo, Environmental Workshops, the *Zoning for Character* Workshop, and most recently, the *Exploring Code SMTX* Workshop.

This work has come to fruition with the completion of the draft CodeSMTX document released on May 27th, 2016. This guide provides a chapter-by-chapter summary highlighting some of the key components and the policies that shaped the development of this draft.

"Replace the Land Development Code with an updated document to support the Preferred Scenario" - Vision San Marcos: Land Use Goal #1.



Sample Image produced during the Code Rodeo.

Chapter 1 - General Provisions

Chapter 1 is a short chapter with the primary purpose of establishing the legal authority of the Code, rules for projects that have already begun and non-conforming structures.

What's Changing?

"Establish Gateway Corridors as identified in the Downtown Master Plan and the Preferred Scenario." - Vision San Marcos: Land Use Goal #1.

1. CodeSMTX is introducing a process where the City Council can elect to require certain elements of a nonconforming structure be brought up to code through an amortization process.
2. CodeSMTX is expanding the ability for a property owner to request the continuance or expansion of a nonconforming use, lot, or structure under certain criteria.

"Review development code regulations applicable to non-conforming residential structures..." Affordable Housing Policy Goal #3.

Why? These modifications allow the City to pursue enhanced enforcement in locations where conforming to higher standards is a priority while allowing for a more incremental approach for existing properties when the zoning board of adjustments finds that full site conformance is too burdensome and a more incremental approach may be warranted.

Section 1.3.1.1: Vesting.

Section 1.6.1.1: Non-Conformities.

Code References:

Chapter 2 - Development Procedures

Chapter 2 establishes the development process for all applications and requests. This chapter specifically addresses how to appeal or seek relief from a requirement or standard of the code.

What's Changing? The format, organization, and wording of this chapter has changed to simplify the language to increase readability and understanding. An easy to navigate summary table has been added at the beginning of the chapter identifying the application type, decision maker, and notice requirements for each application type. Evaluation criteria has also been added for all types of requests. In addition, two new relief procedures are being introduced that are intended to provide more flexibility to both the City and developers.

1. **Administrative Adjustments** will allow the Planning or Engineering Director to modify a standard by up to 10% under certain criteria.
2. **Alternative Compliance** is a new process allowing an applicant to provide an alternate way of meeting a standard, subject to approval by the Planning and Zoning Commission and in some cases City Council.

"Create clear criteria for zoning changes to apply to all cases."

- Vision San Marcos: Affordable Housing Policy Goal #4.

Why? Since CodeSMTX is introducing form based standards that regulate aspects of development such as design, new relief procedures are necessary to allow for alternatives in design that still meet the intent of the standard. Approval processes that are built into the code recognize the level of approving boards should reflect the degree a request:

- Affects the overall character of an area
- Involves negotiation affecting the overall project
- Has an economic impact on affordable housing

Code References:

Section 2.1.1.2: *Application Process Summary Table*

Section 2.3.1.1: *Universal Application Procedures*

Section 2.4.2.1: *Comprehensive Plan Amendments*

Section 2.5.1.1: *Zoning Amendment*

Section 2.6.1.1: *Watershed Protection Plans*

Section 2.8.3.1: *Conditional Use Permits*

Section 2.8.4.1: *Alternative Compliance*

Section 2.8.5.1: *Administrative Adjustments*

Chapter 3 - Subdivisions

Chapter 3 establishes processes and standards for the subdivision and development of land including the provision of adequate infrastructure, the design of streets, and the dedication of parkland.

What's Changing? Among the updates to the City's Subdivision standards in CodeSMTX are enhancements that relate to the provision of adequate transportation infrastructure and the dedication and construction of parkland. Several of these new requirements are listed below:

Transportation Infrastructure

1. Requirements for dedication of adjacent greenways as a transportation element.
2. Enhanced block perimeter requirements.
3. The introduction of "streetscape types" that link street design with land use to better address design elements such as sidewalks and street trees.
4. New street design standards corresponding with the Transportation Master Plan and associated land uses.

"Ensure that design of public rights-of-way adequately accommodate all users including automobiles, bicycles, pedestrians..." - Complete Streets Policy.

Parkland Dedication and Construction

5. Increased dedication in all areas from 5 ac. /1000 people to 5.7 ac. /1000 people.
6. Requirement for larger developments to include a park within 1/4 mile of any residence.
7. A new Parkland Fee of \$400/Unit for each additional unit added within the City.
8. A new requirement for parkland dedication based on 5% of land area for Downtown.

Site Access

9. A requirement for commercial development to provide cross access between parking lot.
10. A requirement to provide a pedestrian path from the sidewalk to the building.

"Ensure adequate resources are identified to develop and maintain parks and public places" - Vision San Marcos: Parks, Public Spaces and Facilities Goal #2.

Why? Land subdivision is a critical step in the process of building a transportation system that is efficient and promotes all modes of transportation. Recognizing this, CodeSMTX builds a stronger link between the design of streets and the adjacent land uses. Access standards are also being enhanced to reduce congestion and provide better vehicular access for emergency response.

CodeSMTX recognizes the importance of preserving land for parks and open spaces at the time of development and is adopting all recommendations from the 2010 Parks Master Plan to provide dedication standards that are more responsive to development type and location.

Code References:

- Section 3.5.2.1:** *Determination of Adequate Facilities*
- Section 3.6.2.1:** *Block Perimeter Requirements*
- Section 3.6.4.2:** *Site Access*
- Section 3.7.2.1:** *New Street Types*
- Section 3.7.2.11:** *Bicycle Facilities*
- Section 3.10.1.1:** *Parks and Open Space*

Chapter 4 - Zoning

Chapter 4 establishes the zoning districts, the relationship of the Comprehensive Plan to zoning, the general rules applicable to all districts, and permitted building types.

What's Changing? The key change to the zoning code in CodeSMTX is the transition from a primarily use based code, to a "hybrid" code that incorporates elements of form-based zoning.

Zoning Districts

1. New zoning districts classified as: Special, Conventional Residential, Neighborhood, and Character Districts that correspond with the Comprehensive Plan have been created.
2. Select existing zoning districts are retired. These districts will be referred to as "Legacy Districts". Legacy districts remain unchanged and are allowed to continue under the current regulations until eventually being replaced with one of the new zoning districts.

Special Districts



Intended for single-use commercial and industrial development

Conventional Districts



Intended for single family uses in Low-Intensity Areas and Existing Neighborhoods.

Neighborhood Districts



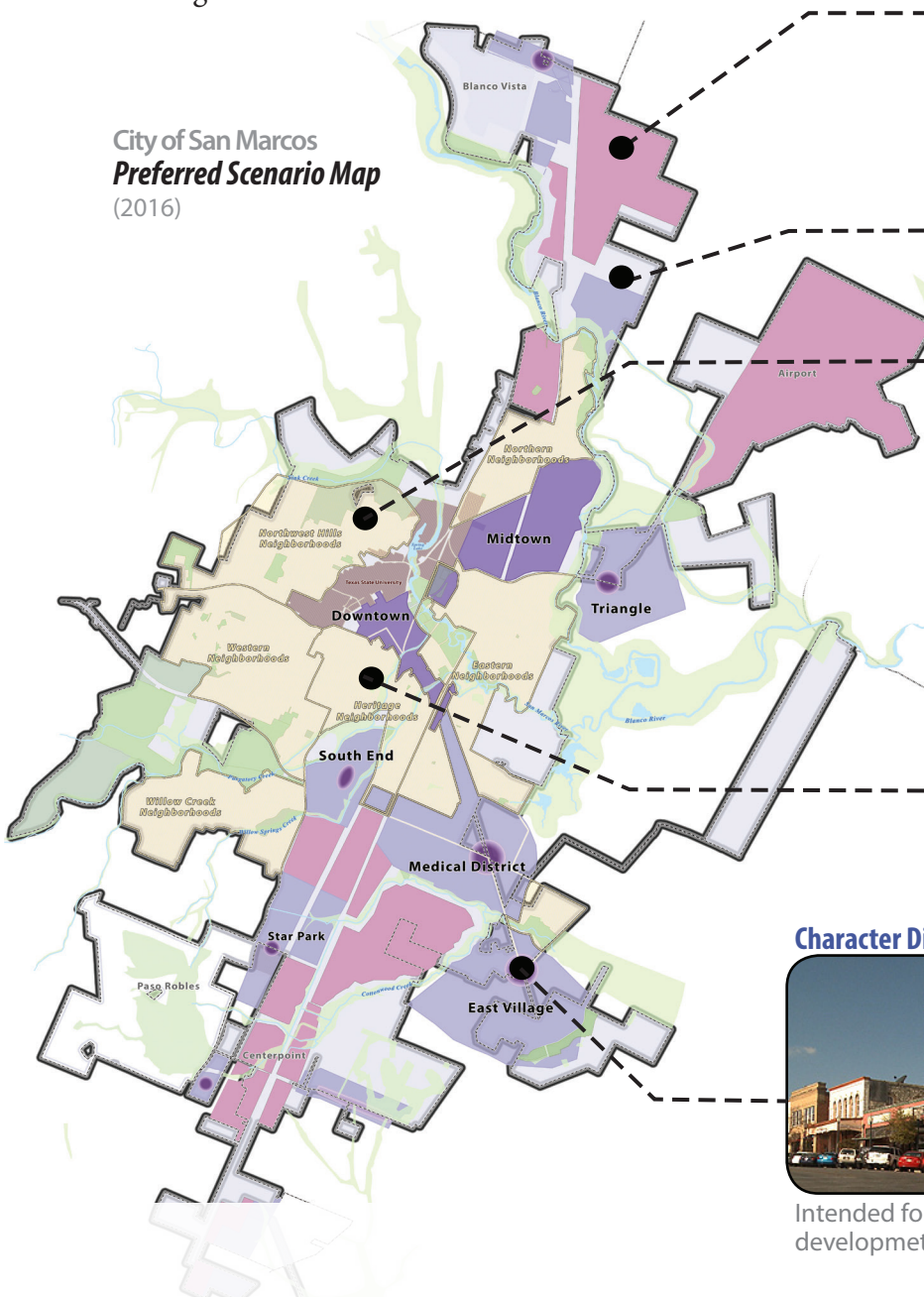
Intended for infill/redevelopment in existing neighborhoods.

Character Districts



Intended for new mixed-use development within Intensity Zones.

City of San Marcos
Preferred Scenario Map
(2016)



Chapter 4 - Zoning (Cont.)

3. Planning Area zoning districts have been created to replace the use of Planned Development Districts (PDD) for large master planned developments. Planning Area districts have been designed to match the intensity of development to the Comprehensive Plan Area. Planning Areas proposed in Low Intensity Areas require the preservation of 50% of the gross site area making Conservation Developments the default in areas identified as low intensity on the Preferred Scenario Map.

Relationship of the Comprehensive Plan to Zoning

4. A new zoning translation table provides guidance on the relationship of the new districts to the Comprehensive Plan.
5. Criteria that recognizes the time sensitivity for employment-generating requests has been added.

“Revise development codes in Intensity Zones to allow and streamline the process for appropriate uses and densities.” - Vision San Marcos - Land Use: Goal 2.

General Rules applicable to all Districts

6. Building elements such as porches and balconies are identified.
7. Design elements that require glazing, articulation, and durable materials have been included.
8. Provisions for appropriate building height and location relative to the street and surrounding properties have been included.
9. Provisions for the location of parking relative to the street and building.

Building Types

10. Building types have been included as an additional tool to address the form and function of different types of buildings and encourage a mixture of buildings within a single district.

“Revise zoning code to allow for more diverse housing types and mixed-use development.” - Vision San Marcos - Neighborhood and Housing: Goal 3.

Why? In order to shape the future growth and development specified in the Comprehensive Plan CodeSMTX must create new zoning districts that respond to the specific form, scale, and densities of the various Comprehensive Plan Areas. CodeSMTX is also creating appropriate avenues for deviations from development standards without changing the underlying intent of the district to ensure a more predictable environment.

Code References:

Section 4.1.1.5: *Zoning Translation Table*

Section 4.1.5.1: *New Districts Established*

Section 4.1.5.5: *Legacy Districts*

Section 4.4.1.1: *Conventional Residential Districts*

Section 4.4.2.1: *Neighborhood Districts*

Section 4.4.3.1: *Character Districts*

Section 4.4.4.1: *Special Districts*

Section 4.4.4.6: *Planning Area*

Chapter 5 - Use Regulations

Chapter 5 defines and establishes the land-uses permitted within the various zoning districts of the code and establishes standards for certain uses.

What's Changing? This is a new chapter. Whereas the City's current Land Development Code groups use regulations with development standards, CodeSMTX establishes a specific Chapter for use regulations.

1. The Land Use Matrix has been consolidated and modernized.
2. Definitions and Standards for Land Uses have been included within the chapter.
3. New standards relating to **Accessory Dwelling Units (ADU's) have been incorporated.**
4. New standards that address **Short-Term Rental's (STR's) have been incorporated.**
5. New process and standards for alcohol related **Conditional Use Permits** downtown and throughout the City have been incorporated.

"Well Maintained, Stable Neighborhoods Protected from Blight or the Encroachment of Incompatible Land Uses."

- Vision San Marcos: Neighborhoods and Housing Goal #4.

Why? Some developments are best managed through standards that address the use and some are best managed through standards that address the function and form of the building. Chapter 5 provides the City with the ability to make that distinction and mitigate adverse impacts related to the use of the property.

Code References:

Section 5.1.1.1: *Interpretive Rules*

Section 5.1.1.2: *Land Use Matrix*

Section 5.1.3.1: *Accessory Structures*

Section 5.1.3.3: *Short-Term Rental*

Section 5.1.3.5: *Temporary Uses*

Section 5.1.7.1 *Conditional Uses*

Chapter 6 - Environmental Regulations

Chapter 6 establishes the environmental regulations of the code which address tree protection, water quality enhancement, and stormwater management.

What's Changing? Tree protection standards are being strengthened and water quality and stormwater management requirements are being strengthened including the establishment of the Sessom Creek Watershed Overlay District. These provisions more specifically include:

Tree Protection

1. Strengthening tree protection standards during development and making them more enforceable.
2. Increasing mitigation requirements for removed trees
3. Encouraging the preservation of established trees, particularly Heritage Trees, with new tree credits.

Water Quality and Stormwater Management

General Areas

4. Extending water quality zones to smaller watersheds.
5. Protecting streams from excess erosion by requiring extended detention for smaller storms.
6. Developing a stormwater connection/management fee to construct regional detention, water quality retrofits, and projects that increase flow conveyance.
7. Provide incentives for using Low-Impact Development (LID) practices.

Specific to the Edwards Aquifer (EARZ), San Marcos River (SMRC), & Sessom Creek Watershed (SCWOD)

8. Not allowing impervious cover credit for porous pavements in the EARZ.
9. Maintaining current impervious cover restrictions outside water quality zones in the SMRC.
10. Extending the water quality and buffer zone requirements to smaller watersheds in the EARZ and including these zone requirements in the SCWOD.
11. Require 85% removal of increased TSS from development in the EARZ and the SCWPZ.
12. Protecting streams from excess erosion by requiring extended detention for smaller storms.
13. Revising SMRC boundary to be more protective of environmentally sensitive areas.

Why? The proposed environmental changes are based on Comprehensive Plan goals which call for incorporating Low-Impact Development practices, adopting "watershed specific" regulations, regional detention, and the adoption of scientific standards for development in environmentally sensitive areas.

Code References:

Section 6.1.2.2: *Specialized Stormwater Management Requirements*

Section 6.1.2.2: *Low-Impact Development/Green Infrastructure Practices*

Section 6.1.2.3: *Stormwater Management Fund*

Section 6.2.1.2: *Water Quality Zones - General Areas*

Section 6.2.3.2: *Water Quality Standards - SMRC*

Section 6.2.4.1: *Requirements and standards for BMP's - SCWOD*

Section 6.4.4.1: *Requirements and standards for BMP's - EARZ*

Section 6.4.6.1: *Tree Mitigation Requirements*

Chapter 7 - Supplemental Development Standards

Chapter 7 establishes the supplemental development standards of the code relating to off-street parking, landscaping, signage, and lighting.

What's Changing?

Parking

1. Minimum parking requirements reflect the Comprehensive Plan Area and are reduced in Intensity Zones where walkability is the most important.
2. Minimum parking requirements are not changing substantially from the existing standards.
3. Maximum parking requirements for larger-scale surface parking lots have been included.
4. Parking reductions for certain uses such as senior housing and affordable housing have been included.

Landscaping & Screening

5. Introduction of "Transitional Protection Yards" which are intended to provide landscaping & screening, between various uses, and between bordering zoning districts.
6. Enhanced provisions for the screening of service areas, utilities, and loading docks.
7. Enhanced Screening of parking lots.
8. Enhanced requirements for landscaping and access within larger parking lots.

"Neighborhoods that are protected and enhanced in order to maintain a high quality of life and stable property values." - Neighborhood and Housing Goal #1.

Signage

9. Signage standards for the downtown will be applied to other character districts.

Why? Stronger parking and landscaping provisions are an important step toward facilitating vibrant and walkable new development within Intensity Zones, and enhancing existing areas of San Marcos as infill development occurs. Additionally, several new zoning districts in CodeSMTX will provide for mixed-use, compact development. With such development, strong landscape design, surface parking lot configuration, and screening will ensure compatibility.

Code References:

- Section 7.1.1.3:** *Maximum Surface Parking*
- Section 7.1.2.1:** *Minimum Requirements and Standards*
- Section 7.1.3.1:** *Vehicle Parking Reductions*
- Section 7.1.4.4:** *Parking Lot Landscaping*
- Section 7.2.3.1:** *Required Landscape Area*
- Section 7.2.5.1:** *Service Areas*
- Section 7.2.5.2:** *Utilities*
- Section 7.3.3.6:** *Summary of Signs in Character Based Districts*

CODE SMTX Process: What's Next?

1

CodeSMTX and
Transportation Mas-
ter Plan Kick Off
(Rhythm of the
street)

2

A 5 day Intensive
planning, design
and public input
session
(Code Rodeo)

3

Environmental
Workshops

4

Zoning For
Character
Workshop

5

Exploring
Code SMTX
(Public Open
House)

6

We are here!
Public Draft
of the Code

Approval
Meetings

Public Involvement

